

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DA'MENIQUE LAJUAN BEASLEY,

Plaintiff,

v.

PIERCE COUNTY COUNCIL, *et al.*,

Defendants.

Case No. C23-5777-TSZ-SKV

ORDER RE: REQUEST TO ADD A
PLAINTIFF

This is a civil rights action proceeding under 42 U.S.C. § 1983. Plaintiff Da'Menique Beasley is currently confined at the Pierce County Jail ("the Jail"). The instant action is one of a number of cases filed in recent months by Pierce County Jail inmates asserting claims concerning the plumbing and sewage system at the Jail. On December 6, 2023, the Court received a request from another Pierce County Jail inmate, Jason Charles Draghi, to be added as a Plaintiff in both this lawsuit and another pending lawsuit, *Wolfclan v. Washington State DSHS*, C23-5399-TSZ-SKV. *See* Dkt. 8.

Importantly, the Court recognizes that Mr. Draghi filed his request to be added as a plaintiff in the *Wolfclan* case as well in the instant action. *See Wolfclan*, C23-5399-TSZ-SKV, Dkt. 94. *Wolfclan* was filed by Pierce County Jail inmate Echota C. Wolfclan as a proposed

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A PLAINTIFF - 1

1 class action, and counsel was recently appointed in that case. *See Wolfclan*, C23-5399-TSZ-
2 SKV, Dkt. 84. On December 12, 2023, the Court issued an Order in *Wolfclan* establishing a
3 deadline for appointed counsel to file an amended complaint, and striking all pending requests
4 for relief, including Mr. Draghi's request to be added as a plaintiff. *See Wolfclan*, C23-5399-
5 TSZ-SKV, Dkts. 94, 95. The Court explained that counsel could re-submit any of the then
6 pending requests for relief that they deemed necessary and appropriate at a later date. *See id.* at
7 95. While it is unknown at that juncture whether appointed counsel may deem it appropriate to
8 include Mr. Draghi as a plaintiff in the *Wolfclan* case, it is a possibility Mr. Draghi may wish to
9 pursue rather than seeking to join in Mr. Beasley's lawsuit.

10 Regardless, the Court observes that because Mr. Draghi is not a party to the instant
11 action, the Court has no jurisdiction to entertain any request for relief from him, including a
12 request to be added as a plaintiff. At this juncture, the proper way for Mr. Draghi to attempt to
13 join this action as a plaintiff would be for Mr. Beasley to prepare an amended complaint setting
14 forth all claims asserted on behalf of himself and on behalf of Mr. Draghi, and to then submit the
15 proposed amended pleading to this Court for review. Mr. Draghi would be required to sign any
16 proposed amended complaint setting forth claims on his behalf and he would also be required to
17 submit an application to proceed with this action *in forma pauperis*. If such a pleading were to
18 be submitted, the Court would then evaluate whether Mr. Beasley and Mr. Draghi were properly
19 joined in the same action and either permit the joinder or direct Mr. Draghi to file a separate
20 action setting forth his own claims for relief. At this point, however, the Court cautions against
21 such an approach.

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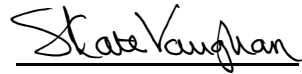
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1 Based on the foregoing, the Court hereby ORDERS as follows:

2 (1) Mr. Draghi's request to be added as a Plaintiff in this action (Dkt. 8) is
3 STRICKEN as improper.

4 (2) The Clerk is directed to send copies of this Order to Plaintiff Da'Menique Beasley
5 and to the Honorable Thomas S. Zilly. The Clerk is further directed to send to Mr. Draghi a
6 copy of this Order and a copy of the recent Order issued in *Wolfclan* addressing Mr. Draghi's
7 request to be added as a plaintiff in that action, *see Wolfclan*, C23-5399-TSZ-SKV, Dkt. 95.

8 DATED this 20th day of December, 2023.

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11 S. KATE VAUGHAN
12 United States Magistrate Judge
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